

REMARKS

Claims 6-27 have been canceled, and Claims 38-32 have been added. Thus, Claims 1-5 and 28-32 are currently pending in the present application, of which Claims 1-5 have been amended.

Double Patenting Rejection

Claims 1-8, 10-17 and 19-26 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-30 of co-pending application number 10/774,017.

Attached is a terminal disclaimer. Thus, the double patenting rejection is believed to be overcome.

Rejection under 35 U.S.C. § 101

Claims 10-17 and 19-26 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Claims 10-17 and 19-26 have been canceled. Thus, the § 101 rejection is deemed moot.

Rejection under 35 U.S.C. § 112

Claims 6, 15 and 24 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for not particularly pointing out and distinctly claiming the subject matter that Applicants regard as the invention.

Claims 6, 15 and 24 have been canceled. Thus, the § 112 rejection is deemed moot.

Rejection under 35 U.S.C. § 102

Claims 1-8, 10-17 and 19-26 were rejected under 35 U.S.C. § 102(e) as being anticipated by Cox (US 6,738,814). Applicants respectfully traverse such rejection insofar as it might apply to the claims as amended herein.

Amended Claim 1 (and similarly Claim 28) now recites a step of "determining whether or not said anomaly reoccurs after said blocking measure A & B has been temporarily removed," a step of "in response to a determination that said anomaly does not reoccur, canceling said block measure A & B from being applied to said communication traffic and enforcing said blocking measure A & !B on said communication traffic," and a step of "in response to a determination that said anomaly reoccurs, reimposing said blocking measure A & B on said communication traffic and temporarily removing said blocking measure A & !B from said communication." The claimed determining, canceling and reimposing steps are not disclosed by *Cox*.

Because the claimed invention recites novel features that are not disclosed by the cited reference, the § 102 rejection is believed to be overcome.

CONCLUSION

Claims 1-5 and 28-32 are currently pending in the present application. For the reasons stated above, Applicants believe that independent Claims 1 and 28 along with their respective dependent claims are in condition for allowance. The remaining prior art cited by the Examiner but not relied upon has been reviewed and is not believed to show or suggest the claimed invention.

No fee or extension of time is believed to be necessary; however, in the event that any fee or extension of time is required for the prosecution of the present application, please charge it against IBM Deposit Account No. **09-0457**.

Respectfully submitted,



Antony P. Ng
Registration No. 43,427
DILLON & YUDELL, LLP
8911 N. Cap. of Texas Hwy., suite 2110
Austin, Texas 78759
(512) 343-6116

ATTORNEY FOR APPLICANTS